

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF

In re:	§	
	§	
HERRIN, WAYLAND EUGENE	§	Case No. 08-40959
	§	
Debtor(s)	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter      of the United States Bankruptcy Code was filed on      . The undersigned trustee was appointed on      .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of      \$

Funds were disbursed in the following amounts:

Payments made under an interim  
disbursement  
Administrative expenses  
Other payments to creditors  
Non-estate funds paid to 3<sup>rd</sup> Parties  
Exemptions paid to the debtor  
Other payments to the debtor

Leaving a balance on hand of<sup>1</sup>      \$

The remaining funds are available for distribution.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was \_\_\_\_\_ and the deadline for filing governmental claims was \_\_\_\_\_. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ \_\_\_\_\_. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ \_\_\_\_\_ as interim compensation and now requests a sum of \$ \_\_\_\_\_, for a total compensation of \$ \_\_\_\_\_<sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ \_\_\_\_\_, and now requests reimbursement for expenses of \$ \_\_\_\_\_, for total expenses of \$ \_\_\_\_\_.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: \_\_\_\_\_ By: /s/CHRISTOPHER J. MOSER  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1  
**Exhibit A**

Case No: 08-40959 BTR Judge: BRENDA T. RHOADES  
Case Name: HERRIN, WAYLAND EUGENE

Trustee Name: CHRISTOPHER J. MOSER

Date Filed (f) or Converted (c): 04/15/08 (f)

341(a) Meeting Date: 05/16/08

Claims Bar Date: 01/08/09

For Period Ending: 11/02/10

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 2022 DAGNAN ROAD HOWE TX 75459 SEE ATTACHED EXHIBI Debtor Claimed 100% Exemption on Schedule C	170,000.00	0.00	DA	0.00	FA
2. CASH ON HAND	0.00	0.00	DA	0.00	FA
3. FINANCIAL ACCOUNTS	191.07	0.00	DA	0.00	FA
4. HOUSEHOLD GOODS Debtor Claimed 100% Exemption on Schedule C	8,350.00	0.00	DA	0.00	FA
5. BOOKS / COLLECTIBLES Debtor Claimed 100% Exemption on Schedule C	500.00	0.00	DA	0.00	FA
6. CLOTHING Debtor Claimed 100% Exemption on Schedule C	500.00	0.00	DA	0.00	FA
7. FIREARMS AND HOBBY EQUIPMENT Debtor Claimed 100% Exemption on Schedule C	750.00	0.00	DA	0.00	FA
8. RETIREMENT Debtor Claimed 100% Exemption on Schedule C	22,847.39	0.00	DA	0.00	FA
9. ANTICIPATED 2007 TAX REFUND	2,027.00	2,027.00		2,027.00	FA
10. TRUST CARY HERRIN TEMPLETON FUNDS SAINT PETERSBURG	0.00	0.00	DA	0.00	FA
11. TRUST MELHAN HERRIN TRUST TEMPLETON FUNDS SAINT PE	0.00	0.00	DA	0.00	FA
12. 2006 NISSAN FRONTIER no equity Debtor Claimed 100% Exemption on Schedule C	20,000.00	0.00	DA	0.00	FA
13. 2005 SUZUKI no equity	11,000.00	0.00	DA	0.00	FA
14. OFFICE EQUIPMENT Debtor Claimed 100% Exemption on Schedule C	775.00	0.00	DA	0.00	FA
15. FARMING EQUIPMENT	4,350.00	0.00	DA	0.00	FA

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 2  
**Exhibit A**

Case No: 08-40959 BTR Judge: BRENDA T. RHOADES  
Case Name: HERRIN, WAYLAND EUGENE

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 04/15/08 (f)  
341(a) Meeting Date: 05/16/08  
Claims Bar Date: 01/08/09

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Debtor Claimed 100% Exemption on Schedule C					
16. 2002 MOBILE HOME no equity	50,000.00	0.00	DA	0.00	FA
17. 20 FT TRACTOR TRAILER	750.00	0.00	DA	0.00	FA
18. SADDLES AND TACK	150.00	0.00	DA	0.00	FA
Debtor Claimed 100% Exemption on Schedule C					
19. GOLF CLUB TRAILER	100.00	0.00	DA	0.00	FA
20. 2008 Tax Refund (u)	0.00	0.00	DA	0.00	FA
21. 2022 Dagnan Rd, Howe, TX - 2 Acres (u) 2 additional acres	50,000.00	0.00	DA	0.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		2.51	Unknown

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$342,290.46	\$2,027.00	\$2,029.51	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Trustee collected the debtor's 2007 tax refund.

Initial Projected Date of Final Report (TFR): 12/31/09      Current Projected Date of Final Report (TFR): 11/02/10

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1  
**Exhibit B**

Case No: 08-40959 -BTR  
Case Name: HERRIN, WAYLAND EUGENE

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*1039 BofA - Money Market Account

Taxpayer ID No: \*\*\*\*\*0055  
For Period Ending: 11/02/10

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
05/28/08	9	WAYLAND EUGENE HERRIN 2022 DAGNAN ROAD HOWE, TX 75459	BALANCE FORWARD TAX REFUND	1124-000	2,027.00		0.00 2,027.00
06/30/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	0.24		2,027.24
07/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	0.26		2,027.50
08/29/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	0.25		2,027.75
09/30/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	0.26		2,028.01
10/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	0.20		2,028.21
11/28/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	0.17		2,028.38
12/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.10		2,028.48
01/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.02		2,028.50
02/27/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.02		2,028.52
03/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.02		2,028.54
04/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.04		2,028.58
05/29/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.63
06/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.68
07/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.73
08/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.78
09/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.83
10/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.88
11/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.93
12/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,028.98
01/29/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.03
02/26/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.08
03/31/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.06		2,029.14
04/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.19
05/28/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.24
06/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.06		2,029.30

Page Subtotals 2,029.30 0.00

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 2  
Exhibit B

Case No: 08-40959 -BTR  
Case Name: HERRIN, WAYLAND EUGENE

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*1039 BofA - Money Market Account

Taxpayer ID No: \*\*\*\*\*0055  
For Period Ending: 11/02/10

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
07/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.35
08/31/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.40
09/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.45
10/29/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.05		2,029.50
11/02/10	INT	BANK OF AMERICA, N.A.	INTEREST REC'D FROM BANK	1270-000	0.01		2,029.51
11/02/10		Transfer to Acct #*****6985	Final Posting Transfer	9999-000		2,029.51	0.00

COLUMN TOTALS	2,029.51	2,029.51	0.00
Less: Bank Transfers/CD's	0.00	2,029.51	
Subtotal	2,029.51	0.00	
Less: Payments to Debtors		0.00	
Net	2,029.51	0.00	

Page Subtotals 0.21 2,029.51

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 3  
Exhibit B

Case No: 08-40959 -BTR  
Case Name: HERRIN, WAYLAND EUGENE

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*6985 BofA - Checking Account

Taxpayer ID No: \*\*\*\*\*0055  
For Period Ending: 11/02/10

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
11/02/10		Transfer from Acct #*****1039	BALANCE FORWARD Transfer In From MMA Account	9999-000	2,029.51		0.00 2,029.51

COLUMN TOTALS	2,029.51	0.00	2,029.51
Less: Bank Transfers/CD's	<u>2,029.51</u>	<u>0.00</u>	
Subtotal	0.00	0.00	
Less: Payments to Debtors		<u>0.00</u>	
Net	0.00	0.00	

	NET		ACCOUNT
TOTAL - ALL ACCOUNTS	NET DEPOSITS	DISBURSEMENTS	BALANCE
BofA - Money Market Account - *****1039	2,029.51	0.00	0.00
BofA - Checking Account - *****6985	0.00	0.00	2,029.51
	<u>2,029.51</u>	<u>0.00</u>	<u>2,029.51</u>
	(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 2,029.51 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 08-40959		Page 1		Date: November 02, 2010		
Debtor Name: HERRIN, WAYLAND EUGENE		Claim Class Sequence				
Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000002 070 7100-00	PYOD LLC its successors as assignee of Washington Mutual Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587	Unsecured		\$257.77	\$0.00	\$257.77
000003 070 7100-00	PYOD LLC its successors as assignee of Citibank Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587	Unsecured		\$300.00	\$0.00	\$300.00
000004 070 7100-00	CHASE BANK USA, NA PO BOX 15145 WILMINGTON, DE 19850-5145	Unsecured		\$21,625.84	\$0.00	\$21,625.84
000005 070 7100-00	CHASE BANK USA, NA PO BOX 15145 WILMINGTON, DE 19850-5145	Unsecured		\$7,936.47	\$0.00	\$7,936.47
000006 070 7100-00	American Express Centurion Bank c o Becket and Lee LLP POB 3001 Malvern PA 19355-0701	Unsecured		\$1,632.80	\$0.00	\$1,632.80
000007 070 7100-00	American Express Centurion Bank c o Becket and Lee LLP POB 3001 Malvern PA 19355-0701	Unsecured		\$773.43	\$0.00	\$773.43
000008 070 7100-00	Recovery Management Systems Corporation For GE Money Bank dba PREFERRED CUSTOMER/GEMB 25 SE 2nd Ave Ste 1120 Miami FL 33131	Unsecured		\$3,355.00	\$0.00	\$3,355.00
000009 070 7100-00	Recovery Management Systems Corporation For GE Money Bank dba GE MONEY LOC 25 SE 2nd Ave Ste 1120 Miami FL 33131	Unsecured		\$12,953.86	\$0.00	\$12,953.86
000010 070 7100-00	FIA CARD SERVICES, NA/BANK OF AMERICA by American InfoSource LP as its agent PO Box 248809 Oklahoma City, OK 73124-8809	Unsecured		\$15,675.87	\$0.00	\$15,675.87
000001 070 7100-00	S & S Independent School District c/o Elizabeth Banda, Esq. Perdue, Brandon, Fielder, et al 4025 Woodland Park Blvd. Suite 300 Arlington, TX 76013	Secured		\$2,393.44	\$0.00	\$2,393.44



EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 08-40959 Page 2 Date: November 02, 2010  
Debtor Name: HERRIN, WAYLAND EUGENE Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
Case Totals:				\$66,904.48	\$0.00	\$66,904.48

Code #: Trustee's Claim Number, Priority Code, Claim Type

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 08-40959

Case Name: HERRIN, WAYLAND EUGENE

Trustee Name: CHRISTOPHER J. MOSER

Balance on hand \$

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: CHRISTOPHER J. MOSER	\$	\$	\$

Total to be paid for chapter 7 administrative expenses \$

Remaining Balance \$

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ \_\_\_\_\_ have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be \_\_\_\_\_ percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000002	PYOD LLC its successors	\$ _____	\$ _____	\$ _____
000003	PYOD LLC its successors	\$ _____	\$ _____	\$ _____
000004	CHASE BANK USA, NA	\$ _____	\$ _____	\$ _____
000005	CHASE BANK USA, NA	\$ _____	\$ _____	\$ _____
000006	American Express Centurion Bank	\$ _____	\$ _____	\$ _____
000007	American Express Centurion Bank	\$ _____	\$ _____	\$ _____
000008	Recovery Management Systems Corporation	\$ _____	\$ _____	\$ _____
000009	Recovery Management Systems Corporation	\$ _____	\$ _____	\$ _____
000010	FIA CARD SERVICES, NA/BANK OF AMERICA	\$ _____	\$ _____	\$ _____

Total to be paid to timely general unsecured creditors \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

Tardily filed claims of general (unsecured) creditors totaling \$ \_\_\_\_\_ have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be \_\_\_\_\_ percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$        have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be        percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE